IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIFTEENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 2007 of 2005

Between:

Smt. K.Rajani, W/o.K.Vinod Kumar,
Shameerpet Nandal, RR District.

..... PETITIONER

AND

1 The Special Grade Deputy Collector and R.D.O.,

East Division, Goshamahal, Hyderabad.
2 The Mandal Revenue officer,

Shameerpet, R.R.District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction more particularly one in the nature of writ of Mandamus declaring the action of the respondents for non-supply of the E.C's to the dealer is illegal, improper, where his authorisation is existing for F.P.shop at Kesavaram village of the petitioner by violating the principles of natural justice and pass such other order or orders are deemed fit and proper in the interest of justice.

Counsel for the Petitioner:MR.BOLLAM LINGAIAH YADAV

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

The Court at the admission stage made the following :

ORDER:

The petitioner is a dealer of the fair price shop of Kesavaram Village, Shameerpet Mandal, Ranga Reddy District. Her complaint is that even while her authorization is subsisting, the respondents are not supplying the essential commodities to her for distribution in the fair price shop.

Heard learned counsel for the petitioner and learned Government Pleader for Civil Supplies.

The A.P.State Public Distribution System Control Order, 2001, empowers the appointing authority to take necessary steps, including those for suspension or cancellation of authorization, in case any irregularities on the part of the dealer are noticed. However, before taking any such action, the procedure prescribed therefor viz., issuing show cause notice and conducting enquiry, is to be followed. As long as the authorization in favour of a dealer is in force, the respondents are under obligation to supply the essential commodities to her. The question of stoppage of supplies during the subsistence of authorization does not arise.

Hence, the writ petition is disposed of, directing that the respondents shall supply essential commodities to the petitioner, as long as the authorization in her favour is in force. There shall be no order as to costs.

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15.02.2005

Note: Issue C.C. in two days.

(B/o)

Jsu
To

1 The Special Grade Deputy Collector and R.D.O.,

East Division, Goshamahal, Hyderabad.
2 The Mandal Revenue officer,

Shameerpet, R.R.District.

3 Two CCs to the GP FOR CIVIL SUPPLIES,

High Court Buildings, Hyderabad (O.U.T.)

4 2 CD copies